



James M. Cole
Direct: (202) 508-6091
jcole@bryancave.com

March 15, 2004

BY FACSIMILE AND U.S. MAIL

The Honorable Richard Conway Casey
United States District Judge
Southern District of New York
United States Court House
500 Pearl Street
Room 1350
New York, NY 10007-1312

MEMO ENDORSED

Re: In re Terrorist Attacks on September 11, 2001 (MDL 1570)

Dear Judge Casey:

I write in response to the Court's endorsement of my letter of February 26, 2004, on behalf of our client Prince Naif. In that endorsement, the Court granted our request to consolidate the briefing of the motions to dismiss in the five cases in which Prince Naif has been named as a defendant, but denied our request to postpone briefing of the motion to dismiss until the motions filed by Prince Turki and Prince Sultan have been resolved. As to this last matter, the Court ordered that Prince Naif file his motion to dismiss by March 19, 2004, however, we did not receive the Court's order until today and the Court's schedule only gives us four days to prepare the motion. Due to the emergency nature of our request, we have taken the liberty of faxing this letter to your chambers.

We respectfully ask the Court to reconsider the second part of its ruling concerning the schedule for filing our motion to dismiss. As an initial matter, we have not yet been served in four of the five cases in which Prince Naif is named as a defendant. The only case in which Prince Naif has been served is Federal Insurance. In that case, a substantially amended complaint was filed only last week and the parties had entered into a stipulation, which has been endorsed by the Court, providing that our brief would not be due until 60 days after the amended complaint was filed. Based on our calculations, the date for filing our brief in that case should be approximately May 10, 2004.

I have contacted counsel for the plaintiffs in the other four cases and we are arranging for service to be accomplished, but it has not yet happened. Under the Foreign Sovereign Immunities Act, Prince Naif has 60 days to respond to a complaint

Bryan Cave LLP
700 Thirteenth Street NW
Washington, DC 20005-3960
Tel (202) 508-6000
Fax (202) 508-6200
www.bryancave.com

Chicago
Hong Kong
Irvine
Jefferson City
Kansas City
Kuwait
Los Angeles
New York
Phoenix
Riyadh
Shanghai
St. Louis
United Arab Emirates (Dubai)
Washington, DC

And Bryan Cave,
A Multinational Partnership,
London

Bryan Cave LLP

The Honorable Richard Conway Casey
March 15, 2004
Page 2

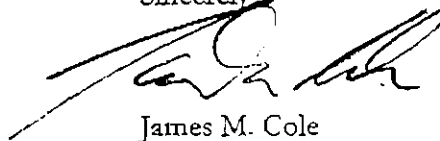
after service. 28 U.S.C. § 1608(d). Even if we were to accomplish service today, we would have 60 days within which to file our motion to dismiss.

Finally, I have been in discussions with counsel for the plaintiffs in all the cases in which Prince Naif is named as a defendant and, with the exception of Mr. Motley, they do not oppose delaying the briefing pending the resolution of Prince Turki and Prince Sultan's motions and recognize that this schedule will significantly expedite the briefing for all sides in regard to Prince Naif.

We respectfully submit that it is not possible for Prince Naif to prepare a motion to dismiss to be filed in four days. Having only just seen the amended complaint in Federal Insurance last week, and not having been served in any of the other cases, the time to brief this motion is not yet ripe. Since the briefing would need to be delayed in any event, we submit that it would be appropriate to delay the briefing of Prince Naif's motion until the resolution of Prince Turki and Prince Sultan's motions.

We thank the Court for its consideration of this matter and are available to respond to any questions the Court might have. Because of the shortness of time, we would appreciate notification of your decision by telephone once it is made.

Sincerely



James M. Cole

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

cc: See Attached Service List (by facsimile or email)

Prince Naif shall file his motion ~~to~~ to dismiss by June 11, 2004. The response shall be filed by July 2, and the reply shall be filed on or before July 16.

Richard Conway Casey 3/17/04